

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**FREEDOM FROM RELIGION
FOUNDATION, INC. and JOHN ROE,**

Plaintiffs,

v.

**JUDGE WAYNE MACK in his personal
capacity and in his official judicial capacity
on behalf of the State of Texas,**

Defendants.

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CASE NO. 4:19-cv-1934

**ORDER GRANTING PLAINTIFFS' MOTION
FOR ENTRY OF DEFAULT AND DEFAULT JUDGMENT**

Considering Plaintiffs' Motion for Entry of Default and Default Judgment as to Defendant Judge Wayne Mack in his official judicial capacity, the briefing, and the authorities and arguments of counsel, this Court finds that there is good cause to grant the motion.

IT IS THEREFORE ORDERED that Plaintiffs' Motion for Entry of Default and Default Judgment is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk of the Court shall enter a default as to Defendant Judge Wayne Mack in his official judicial capacity.

IT IS FURTHER ORDERED that Default Judgment be entered as to Defendant Judge Wayne Mack in his official judicial capacity, granting declaratory relief as follows:

The Court declares that Judge Mack's courtroom prayer practice violates the Establishment Clause of the First Amendment to the United States Constitution.

SIGNED this ____ day of _____, 2021.

Kenneth M. Hoyt
United States District Judge